

# Notice of Allowability

Application No.

09/827,855

Examiner

Jennifer A. Boyd

Applicant(s)

DRAXO ET AL.

Art Unit

1771

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/8/05.
2. ☒ The allowed claim(s) is/are 1-15, 17 and 20.
3. ☒ The drawings filed on 4/6/01 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 04/25/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 6, 2005 has been entered.
2. The Applicant's Amendments and Accompanying Remarks, filed January 6, 2005, have been entered and have been carefully considered. All rejections have been overcome.

### ***Examiner's Amendment***

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Lesmes on April 25, 2005.

The application has been amended as follows:

1. (~~Withdrawn~~) (Currently Amended) A process for forming the strippable glass fiber wall covering according to Claim ~~16~~ 17, said process comprising:

Art Unit: 1771

- (a) providing a glass fiber fabric,
- (b) forming a first dried coating on both sides of said glass fiber fabric that is applied from an aqueous dispersion comprising a starch and a polymeric latex binder, and
- c) subsequently forming a second dried coating on said first dried coating on one side only of said glass fiber fabric that is applied from an aqueous dispersion consisting essentially of a paraffin wax and a rheology modifier with said second dried coating being capable of aiding in the removal of the wall covering from the wall.

4. (~~Withdrawn~~) (Original) A process according to Claim 1, wherein the glass fiber fabric is supplied in roll form.

11. (~~Withdrawn~~) (Original) A process according to Claim 1 wherein the aqueous dispersions of said first and second dried coatings are applied on a continuous process.

12. (~~Withdrawn~~) (Original) The process of Claim 1 wherein the drying of the glass fiber fabric in steps (b) and (c) is accomplished through the use of drying cylinders.

13. (~~Withdrawn~~) (Original) The process of Claim 1 wherein the drying of the glass fiber fabric in steps (b) and (c) is accomplished in air driers.

Art Unit: 1771

14. (~~Withdrawn~~) (Original) The process of Claim 1 wherein the application of said aqueous dispersions in steps (b) and (c) is accomplished through the use of a rotating screen applicator.

15. (~~Withdrawn~~) (Original) The process of claim 1 wherein the applying of said aqueous dispersions in steps (b) and (c) is accomplished through the use of transfer rollers.

17. (Currently Amended) A strippable glass fiber wall covering comprising a glass fiber fabric impregnated and coated on both sides with a first dried coating comprising a starch and a polymeric latex binder and having applied thereon a second dried coating to only one of the coated sides, whereby the second dried coating consists essentially of a paraffin wax and a rheology modifier and serves as a separation layer that facilitates the removal of said wall covering from a substrate ~~whereby~~ wherein the starch is present in an amount ranging from about 10 to 70% by wt. and the polymeric latex binder is present in an amount ranging from about 20 to 80% by wt., based on the dried weight of the first coating, and wherein the paraffin wax is present in an amount ranging from about 80 to 99% by wt. and the rheology modifier is present in an amount ranging from about 1 to 2-0% by wt., based on the dried weight of the second coating.

#### ***Reasons for Allowance***

4. Claims 2 – 3, 5 – 10, 17 and 20 are directed to an allowable product. Pursuant to the procedures set forth in the Official Gazette notice dated March 26, 1996 (1184 O.G. 86), claims 1, 4 and 11 - 15, directed to the process of making or using the patentable product, previously

Art Unit: 1771

withdrawn from consideration as a result of a restriction requirement, are now subject to being rejoined. Claims 1, 4 and 11 – 15 are hereby rejoined and fully examined for patentability under 37 CFR 1.104.

5. Since all claims previously withdrawn from consideration under 37 CFR 1.142 have been rejoined, the restriction requirement made in the Office action mailed on March 12, 2003 is hereby withdrawn.

6. Claims 1 – 15, 17 and 20 are allowed.

7. The following is an examiner's statement of reasons for allowance: all rejections have been overcome. Although Narukawa et al. (US 4,148,781) and Fagan (US 4,783,354) are considered to be the most pertinent prior art, they fail to teach or suggest having a glass fiber wall covering having a coating layer comprising 80 – 99% by weight of paraffin wax and 1 – 20% by weight of rheology modifier. Fagan teaches a coating for wallpaper that preferably comprises 82% water, 17% wax and 1% emulsifier and the emulsion comprises water and pressure sensitive adhesive in a 1:1 ratio (column 2, lines 34 – 45). The high percentage of pressure sensitive adhesive and low percentage of wax in the coating of Fagan renders the coating adhesive in nature. In contrast, the coating of the instant invention comprises a large percentage of wax. The high percentage of wax causes the coating not to be adhesive in nature but instead facilitates easy removal of the wallpaper and function as a separation layer. Therefore, it would not have been obvious to optimize the amount of wax in Fagan to Applicant's desired range.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

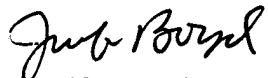
Art Unit: 1771

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A. Boyd whose telephone number is 571-272-1473. The examiner can normally be reached on Monday thru Friday (8:30am - 6:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jennifer Boyd  
April 25, 2005

  
**ULA RUDDOCK**  
**PRIMARY EXAMINER**